

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MARY LEANDRA CLUCK,

Petitioner,

vs.

ELDON VAIL, et al.,

Respondents.

NO. CV-09-5093-JPH

ORDER ADOPTING REPORT AND RECOMMENDATION AND DISMISSING PETITION

Magistrate Judge Hutton filed a Report and Recommendation on June 2, 2010, recommending Ms. Cluck's *pro se* petition for writ of habeas corpus be dismissed with prejudice for lack of personal jurisdiction and for failure to present a short and plain statement of her grounds for federal habeas relief as directed. *See Fed. R. Civ. P. 8(a).* There being no objections, the court **ADOPTS** the Report and Recommendation.

IT IS ORDERED the petition is **DISMISSED** with prejudice. The District Court Executive shall enter this Order, enter judgment, forward a copy to Petitioner and close the file. The court further certifies, pursuant to 28 U.S.C. § 1915(a)(3), an appeal from this decision could not be taken in good faith, and there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); Fed. R.App. P. 22(b).

DATED this 23rd day of June, 2010.

s/Lonny R. Suko

LONNY R. SUKO
CHIEF UNITED STATES DISTRICT JUDGE